

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: April 17, 2015

ANALYST: Quy Vuong

I. COMMITTEE: Democrats Win Seats (DWS PAC)
C00425470
Vickie Winpisinger, Treasurer
P.O. Box 83142
Gaithersburg, MD 20883

II. RELEVANT STATUTE: 52 U.S.C. § 30102(b)(1)
11 CFR § 102.8(a) and (c)
11 CFR § 110.6(c)(1)(iii)

III. BACKGROUND:

Failure to Forward Earmarked Contributions within the Permissible Time Period

The Democrats Win Seats (DWS PAC) ("the Committee") forwarded \$177,000 undeposited earmarked contributions received for authorized committees more than ten (10) days after receipt. The undeposited earmarked contributions were reported on the Committee's 2014 May Monthly and June Monthly Reports (Attachment 2).

On May 20, 2014, the Committee filed the 2014 May Monthly Report covering the period from April 1, 2014 through April 30, 2014. The report disclosed two hundred and sixty-one (261) undeposited earmarked contributions totaling \$179,000 to authorized committees on Schedule A supporting Line 11(a)(i) (Contributions from Individuals/Persons Other Than Political Committees) and Line 11(c) (Contributions From Other Political Committees) (Images 14941245825-918).

On June 20, 2014, the Committee filed the 2014 June Monthly Report covering the period from May 1, 2014 through May 31, 2014. The report disclosed two hundred and seventy-eight (278) undeposited earmarked contributions totaling \$313,200 forwarded to authorized

164400044001

committees on Schedule B supporting Line 23 (Contributions to Federal Candidates/Committees and Other Political Committees). Of the undeposited earmarked contributions forwarded, two hundred and sixty (260) totaling \$177,000 were disclosed with forwarding dates more than ten (10) days after receipt (Images 14941622700-793).

On August 10, 2014, a Request for Additional Information (RFAI) was sent to the Committee referencing the 2014 June Monthly Report. The RFAI noted that the Committee disclosed the apparent disbursement of earmarked contributions outside the permissible time period. Additionally, the RFAI stated that as a conduit or intermediary for an authorized committee, the Committee must forward any earmarked contribution, along with a transmittal report, no later than ten (10) days after receiving the earmarked contribution (Image 14330059219).

On August 15, 2014, the Committee filed an Amended 2014 May Monthly Report. The total number and amount of undeposited earmarked receipts remained unchanged from the original 2014 May Monthly Report (Images 14970085945-6038).

On September 15, 2014, the Committee filed a Miscellaneous Electronic Submission ("Form 99") in response to the RFAI. The Form 99 stated, in part:

"During the period covered by the May Monthly Report, the Committee received contributions earmarked for other committees. Lack of prior experience and familiarity with the specific disbursement requirement caused the contributions referenced by your letter, in an isolated occurrence, to be forwarded during the subsequent reporting period and hence itemized on the June Monthly Report. After identifying these circumstances on its own, but before receiving your letter, the Committee instructed relevant staff and consultants on the requirement to ensure the timeliness of future disbursements" (Image 14970774767).

On October 9, 2014, the Reports Analysis Division (RAD) Analyst called Vickie Winpisinger, the Committee's Treasurer, to inform her that the Committee may be referred to another office at the Commission for further action regarding the amount of the undeposited earmarks forwarded outside the permissible time period. The Analyst explained that the Committee has the opportunity to provide additional clarification for the public record. Ms. Winpisinger asked which office would be handling the matter to which the Analyst informed her that the appropriate office would contact her accordingly (Attachment 3).

To date, no further communication has been received from the Committee regarding this matter.

16044400462

O-Index (2015-2016)													
Cmte. ID: C00425470 Cmte. Name: DEMOCRATS WIN SEATS (DWS PAC)													
Treasurer Name: WINPISINGER, VICKIE Address: PO BOX 83142, GAITHERSBURG, MD 20883													
Cmte. Type: Q (QUALIFIED NON-PARTY) Cmte. Designation: D (LEADERSHIP PAC) Filing Frequency: QUARTERLY FILER													
Form Tp	Rpt Tp	All	Receipt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits & Loans
MS-M			1/31/2015	1	15970236841								
MS-O			2/12/2015	2	15330074528								
Totals												\$0	

O-Index (2013-2014)													
Cmte. ID: C00425470 Cmte. Name: DEMOCRATS WIN SEATS (DWS PAC)													
Treasurer Name: WINPISINGER, VICKIE Address: PO BOX 83142, GAITHERSBURG, MD 20883													
Cmte. Type: Q (QUALIFIED NON-PARTY) Cmte. Designation: D (LEADERSHIP PAC) Filing Frequency: QUARTERLY FILER													
Form Tp	Rpt Tp	All	Receipt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits & Loans
MS-M			7/29/2013	1	13964452272								
MS-O			8/16/2013	2	13330036035								
MS-M			1/31/2014	1	14940275286								
MS-O			2/12/2014	2	14330043342								
MS-T			8/14/2014	1	14950020009								
MS-T			9/15/2014	1	14970774767								
RQ2	M5	N	7/10/2014	2	14330054582	4/1/2014	4/30/2014	7/10/2014					
RQ2	M6	N	8/10/2014	2	14330059219	5/1/2014	5/31/2014	8/10/2014					
F3XN	M2	N	2/15/2013	9	13960938266	1/1/2013	1/31/2013		\$92,448	\$10,019	\$20,662	\$81,805	\$0
F3XN	M3	N	3/12/2013	8	13961144558	2/1/2013	2/28/2013		\$81,805	\$5,016	\$7,889	\$78,932	\$0
F3XN	M4	N	4/18/2013	16	13961657422	3/1/2013	3/31/2013		\$78,932	\$40,159	\$21,059	\$98,032	\$0
F3XN	M5	N	5/16/2013	21	13962218024	4/1/2013	4/30/2013		\$98,032	\$56,520	\$37,433	\$117,110	\$0
F3XN	M6	N	6/16/2013	32	13962860714	5/1/2013	5/31/2013		\$117,119	\$70,020	\$48,324	\$138,815	\$0
F3XN	M7	N	7/19/2013	59	13964416914	6/1/2013	6/30/2013		\$138,815	\$241,599	\$46,381	\$334,033	\$0
F3XN	YE	N	1/31/2014	200	14960345732	7/1/2013	12/31/2013		\$334,033	\$588,108	\$542,264	\$379,877	\$0
F3XN	M2	N	2/20/2014	29	14940531579	1/1/2014	1/31/2014		\$379,877	\$36,967	\$72,050	\$344,793	\$0
F3XN	M3	N	3/20/2014	30	14960525959	2/1/2014	2/28/2014		\$344,793	\$82,472	\$84,720	\$342,544	\$0
F3XN	M4	N	4/20/2014	66	14941113083	3/1/2014	3/31/2014		\$342,544	\$287,347	\$205,277	\$418,614	\$0
F3XN	M5	N	5/20/2014	135	14941245820	4/1/2014	4/30/2014		\$418,614	\$61,119	\$127,199	\$352,534	\$0
F3XA	M6	A	8/14/2014	135	14970085940	4/1/2014	4/30/2014		\$418,614	\$61,119	\$127,199	\$352,534	\$0
F3XN	M6	N	6/20/2014	130	14941622664	5/1/2014	5/31/2014		\$352,534	\$99,359	\$71,140	\$380,753	\$0
F3XN	M7	N	7/20/2014	64	14941883560	6/1/2014	6/30/2014		\$380,753	\$163,425	\$170,712	\$373,466	\$0
F3XN	M8	N	8/20/2014	33	14970690474	7/1/2014	7/31/2014		\$373,466	\$41,836	\$71,599	\$343,703	\$0
F3XN	M9	N	9/20/2014	96	14970880247	8/1/2014	8/31/2014		\$343,703	\$47,397	\$100,740	\$310,347	\$0
F3XN	M10	N	10/20/2014	124	14951786302	9/1/2014	9/30/2014		\$310,347	\$193,827	\$171,841	\$332,333	\$0
F3XN	12G	N	10/23/2014	39	14952440492	10/1/2014	10/15/2014		\$332,333	\$53,854	\$42,952	\$343,234	\$0
F3XN	30G	N	12/4/2014	112	14952996573	10/16/2014	11/24/2014		\$343,234	\$104,375	\$98,146	\$349,464	\$0
F3XN	YE	N	1/31/2015	23	15970236818	11/25/2014	12/31/2014		\$349,464	\$10,324	\$68,200	\$291,587	\$0
F1A		A	6/4/2013	5	13962741081								
F1A		A	7/30/2013	5	13964461603								
Totals										\$2,187,746	\$1,988,607		

O-Index (2011-2012)																											
Cmte. ID: C00425470 Cmte. Name: DEMOCRATS WIN SEATS (DWS PAC)														Cmte. Name: WINPISINGER, VICKIE Address: PO BOX 83142, GAITHERSBURG, MD 20883													
Cmte. Type: Q (QUALIFIED NON-PARTY)														Cmte. Designation: D (LEADERSHIP PAC) Filing Frequency: QUARTERLY FILER													
Form	Tr	Rpt	Tr	A/J	Recpt	Dt	Pgs	Begin	Img#	Beg	Cvg	Dt	End	Cvg	Dt	Ltr	Mail	Dt	Begin	Cash	Recpts	Disb	End	Cash	Debits	Loans	Debits & Loans
RQ2	M3	N	N		7/7/2011		2	11330011332		2/1/2011		2/28/2011					7/7/2011										
RQ2	M4	N	N		6/27/2012		2	12330008767		3/1/2012		3/31/2012					6/27/2012										
RQ2	M6	N	N		9/13/2012		3	12330012497		5/1/2012		5/31/2012					9/13/2012										
RQ2	M7	N	N		10/1/2012		4	12330013574		6/1/2012		6/30/2012					10/1/2012										
F3XN	M2	N	N		2/17/2011		6	11930389277		1/1/2011		1/31/2011								\$42,990		\$8		\$11,716	\$31,282		\$0
F3XN	M3	N	N		3/11/2011		8	11990262501		2/1/2011		2/28/2011								\$31,282		\$5,006		\$5,060	\$31,227		\$0
F3XA	M3	A	A		7/9/2011		8	11931785786		2/1/2011		2/28/2011								\$31,282		\$5,006		\$5,060	\$31,227		\$0
F3XN	M4	N	N		4/18/2011		21	11931021498		3/1/2011		3/31/2011								\$31,227		\$66,387		\$47,044	\$50,571		\$0
F3XA	M4	A	A		10/10/2012		22	12954307520		3/1/2011		3/31/2011								\$31,227		\$66,387		\$47,044	\$50,571		\$0
F3XN	M5	N	N		5/16/2011		10	11931363142		4/1/2011		4/30/2011								\$50,571		\$17,298		\$1,671	\$96,198		\$0
F3XN	M6	N	N		6/10/2011		21	11931608582		5/1/2011		5/31/2011								\$96,198		\$102,030		\$43,700	\$154,528		\$0
F3XN	M6	A	A		10/10/2012		22	12954307575		5/1/2011		5/31/2011								\$96,198		\$102,030		\$43,700	\$154,528		\$0
F3XN	M7	N	N		7/20/2011		6	11932010643		6/1/2011		6/30/2011								\$154,528		\$33		\$1,712	\$152,849		\$0
F3XN	M8	N	N		8/16/2011		7	11932231384		7/1/2011		7/31/2011								\$152,949		\$4,529		\$20,410	\$138,080		\$0
F3XN	M9	N	N		9/12/2011		8	11932332620		8/1/2011		8/31/2011								\$136,969		\$2,029		\$2,714	\$136,283		\$0
F3XN	M10	N	N		10/16/2011		9	11952654525		9/1/2011		9/30/2011								\$136,283		\$10,029		\$2,410	\$143,902		\$0
F3XN	M11	N	N		11/18/2011		12	11972220915		10/1/2011		10/31/2011								\$143,902		\$16,280		\$2,554	\$157,628		\$0
F3XN	M12	N	N		12/17/2011		11	11953291325		11/1/2011		11/30/2011								\$157,628		\$13,033		\$6,306	\$164,356		\$0
F3XN	YE	N	N		1/21/2012		12	12950178163		12/1/2011		12/31/2011								\$164,356		\$4,533		\$17,465	\$151,424		\$0
F3XN	M2	N	N		2/15/2012		6	12950511304		1/1/2012		1/31/2012								\$151,424		\$32		\$1,362	\$150,094		\$0
F3XN	M3	N	N		3/16/2012		9	12950854286		2/1/2012		2/29/2012								\$150,094		\$17,781		\$711	\$167,164		\$0
F3XN	M4	N	N		4/15/2012		16	12970949690		3/1/2012		3/31/2012								\$167,164		\$66,037		\$19,420	\$213,781		\$0
F3XA	M4	A	A		7/17/2012		16	12952504237		3/1/2012		3/31/2012								\$167,164		\$66,037		\$19,420	\$213,781		\$0
F3XN	M5	N	N		6/16/2012		11	12971217364		4/1/2012		4/30/2012								\$213,781		\$38,045		\$2,522	\$249,303		\$0
F3XN	M6	N	N		6/17/2012		14	12952130349		5/1/2012		5/31/2012								\$249,303		\$28,553		\$33,966	\$243,890		\$0
F3XA	M6	A	A		9/25/2012		15	12953675674		5/1/2012		5/31/2012								\$249,303		\$28,553		\$33,966	\$243,890		\$0
F3XN	M7	N	N		7/17/2012		30	12952503613		6/1/2012		6/30/2012								\$243,890		\$63,053		\$97,309	\$209,635		\$0
F3XA	M7	A	A		10/10/2012		31	12954307725		6/1/2012		6/30/2012								\$243,890		\$63,053		\$97,309	\$209,635		\$0
F3XN	M8	N	N		8/12/2012		11	12952629204		7/1/2012		7/31/2012								\$209,635		\$4,550		\$4,426	\$209,758		\$0
F3XN	M9	N	N		9/16/2012		28	12952918948		8/1/2012		8/31/2012								\$209,758		\$12,295		\$127,128	\$94,926		\$0
F3XN	M10	N	N		10/17/2012		24	12972710044		9/1/2012		9/30/2012								\$94,926		\$79,043		\$35,450	\$138,519		\$0
F3XN	12G	N	N		10/25/2012		20	12961201032		10/1/2012		10/17/2012								\$138,519		\$16,255		\$15,183	\$109,590		\$0
F3XN	30G	N	N		12/6/2012		17	12962896371		10/18/2012		11/26/2012								\$109,590		\$24,528		\$28,632	\$105,486		\$0
F3XA	30G	A	A		12/29/2012		18	12963870815		10/18/2012		11/26/2012								\$109,590		\$24,528		\$28,632	\$105,486		\$0
F3XA	30G	A	A		1/15/2013		20	13940035479		10/18/2012		11/26/2012								\$109,590		\$24,528		\$28,632	\$105,486		\$0
F3XN	YE	N	N		1/30/2013		11	13960572639		11/27/2012		12/31/2012								\$105,486		\$24,528		\$13,087	\$92,448		\$0
Totals																				\$621,428					\$571,970		